

**THE LABOR COMMISSION
WORKERS' COMPENSATION ADVISORY COUNCIL**

**Tuesday, July 20, 2010 – 12:00 P.M.
Room 319, Heber M. Wells Bldg.
Salt Lake City, Utah**

The following Advisory Council members were in attendance:

Ralph Astorga, President, USWA Local 392
Thomas Bingham, President, Utah Manufacturers Association
David Bird, Esq.
Dave Davis, President, Utah Food Industry Association
Kathleen Bissell, Liberty Mutual
Jeff Rowley, Risk Manager, Salt Lake County
Brad Tibbitts, Utah State Insurance Department
Dennis Lloyd for Ray Pickup, Workers Compensation Fund
Brian Kelm, Esq
Richard J. Thorn, President/CEO, Associated General Contractors - Utah Chapter
Brandt Goble
Rep. Mike Morley
Sen. Karen Mayne

The following Advisory Council members were absent:

K. Dawn Atkin, Attorney

Others Present:

Alan Hennebold, Deputy Commissioner
Ron Dressler, Director, Division of Industrial Accident, Labor Commission
Sara Danielson, Administrative Assistant, Labor Commission
David Lamb, Administration Director, Labor Commission
Linda Duval, Claims Manager, Industrial Accidents Division, Labor Commission

WELCOME

Welcome – Deputy Commission, Alan Hennebold brought the meeting to order at 12:00 p.m. Alan Hennebold excused Commission Hayashi.

1. Miscellaneous Business – Alan Hennebold

Alan Hennebold presented the minutes from the last Council meeting for approval. Jeff Rowley moved that the minutes be approved. Brandt Goble seconded the motion. Voting was unanimous in the affirmative.

Alan Hennebold welcomed Kathleen Bissell to the Council. Kathleen Bissell introduced herself.

2. Labor Commission Budget/Premium Surcharge Funds

David Lamb distributed several handouts regarding the UEF, ERF and Workplace Safety Account expenses. Mr. Lamb provided an explanation of the handouts and answered general questions.

3. Workplace Safety Account

Tom Bingham who participated on the Grant Approval Committee, explained that not all requests were granted and that the standards for approving the Grants had been tighten.

4. Workers' Compensation Legislation and Rule-Making

Ron Dressler explained that the Commission has received a request for a report on the impact of the "Merrill" decision on the ERF from the Legislature. He explained that the ERF has paid out 10.5 -11 million dollars relating to the "Merrill" decision. He stated that the actuarials were still working on the future impact to ERF.

Ron Dressler explained that the Commission is participating in a focus group with Sen. Mayne regarding Limited Liability Companies. The focus group will be meeting to discuss issues related to limited liability companies and how members and employees are classified. The goal is to have draft legislation by October.

Richard LaJeunesse, Presiding Law Judge, stated that the Adjudication Division is in the process of testing electronic filing of pleadings. They have begun a pilot program with settlement agreements. If all goes well, it will expand to other pleadings. He stated that it is felt that a statutory change is necessary to allow for the electronic filing, with rule-making to establish to how and when and what. It is planned to distribute exact statutory language prior to the Council meeting in October.

Ron Dressler explained that the Commission has received a request from the Legislature for a report on Death Benefits. **Dave Bird** recommended that Rep. Barrus be contacted to determine the impetus of the request, whether it is to the process or sufficiency of benefits. It was determined that a draft of the response would be distributed to the Council prior to the October meeting.

6. Other Business

Ron Dressler explained that Council Member terms have not be looked at or tracked well lately. He handed out proposed council member term adjustments.

Alan Hennebold stated that the next meeting would be on October 13, 2010, at 11:30 am. Dave Davis agreed to sponsor the lunch.

Alan Henenbold adjourned the meeting.